

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

P1 Finance, a Division of Peach State
Federal Credit Union,

Plaintiff

v.

National Liability & Fire Insurance
Company, TBF Associates, Inc., JR
Towing & Truck Repair Corp., and
Kingman Transport, LLC,

Defendants.

FILE NO.:

NOTICE OF REMOVAL OF CIVIL
ACTION UNDER 28 U.S.C. § 1441(a)

***(DIVERSITY JURISDICTION AND
FEDERAL QUESTION
JURISDICTION)***

(Removed from the Superior Court of
Gwinnett County, State of Georgia,
Case No. 23-A-01365-11)

AFFIDAVIT OF DIEGO CARDENAS, ESQ.

STATE OF GEORGIA

COUNTY OF FULTON

COMES NOW, Diego Cardenas, Esq. after first being duly sworn, testifies as follows:

1. My name is Diego Cardenas. I am over the age of majority and am competent to testify to the following matters on personal knowledge.
2. I am an associate attorney with Clyde & Co US LLP ("Clyde & Co"), which has been retained to represent National Liability & Fire Insurance

Company (hereinafter "National Liability"), Defendant in the above-referenced lawsuit.

3. In order to determine the citizenship of the parties in this matter, I searched the named parties on various Secretary of State websites.

4. In order to determine the citizenship of Plaintiff "P1 Finance, a Division of Peach State Federal Credit Union", I searched the website for the Georgia Secretary of State. While the entity "P1 Finance, a Division of Peach State Federal Credit Union" did not yield any results, a search of "P1 Finance" located an entity by the name of P1 Finance Holdings, LLC, identified as a foreign entity. [See Exhibit 1 to Aff., attached hereto.] Accordingly, Plaintiff's legal name appears to be P1 Finance Holdings, LLC.

5. I also located the entity P1 Finance Holdings, LLC, on the website for the Florida Division of Corporations, where it is identified as a domestic entity. [See Exhibit 2 to Aff., attached hereto.]

6. The Premium Agreement and Disclosure Statements and emails attached to Plaintiff's Verified Complaint as Exhibits A, C, D, F, G all list a company named "P1 Finance" and an email address of PFA@P1Finance.com.

In visiting the affiliated website¹, P1 Finance is listed as having a physical address located at 280 Technology Parkway, Suite 100, Norcross, Georgia 30092, which is the same address listed as the mailing address on the Florida Secretary of State webpage. [Exhibit 1.]

7. William J. Villari is listed as the manager of P1 Finance Holdings, LLC on the Florida Division of Corporations website. He is listed as residing in Atlanta, Georgia. [Exhibit 2.] I was not able to locate any other members of P1 Finance Holdings, LLC. To the best of my knowledge, P1 Finance is a single-member LLC whose sole member resides in Georgia.

8. To determine the citizenship of Defendant TBF Associates, Inc., I searched the website for the New York Division of Corporations and located Defendant TBF Associates, Inc., identified as a domestic entity. [See Exhibit 3 to Aff., attached hereto.] To the best of my knowledge, Defendant TBF Associates, Inc. is incorporated in the State of New York. [Exhibit 3.] Further, the only address listed for the corporation is located in Inwood, New York. *Id.* To the best of my knowledge and belief, Defendant TBF Associates, Inc.'s

¹ P1 Finance | Property and Casualty Insurance Premium Finance, <https://p1finance.com/>, last visited 5/03/2023 at 1:23 p.m.

principal place of business is located in the State of New York. *Id.* Thus, Defendant TBF Associates, Inc. is only a citizen of the State of New York.

9. To determine the citizenship of Defendant JR Towing & Truck Repair Corp., I searched the website for the New York Division of Corporations and located Defendant JR Towing & Truck Repair Corp. as a domestic entity. [See Exhibit 4 to Aff., attached hereto.] To the best of my knowledge, Defendant JR Towing & Truck Repair Corp. is incorporated in the State of New York. Further, the only address listed for the corporation is located in Bronx, New York. To the best of my knowledge and belief, JR Towing & Truck Repair Corp.'s principal place of business is located in the State of New York. [Exhibit 4.] Thus, Defendant JR Towing & Truck Repair Corp. is only a citizen of the State of New York.

10. To determine the citizenship of Defendant Kingman Transport, LLC, I searched the website for the Utah Division of Corporations and found Kingman Transport, LLC listed as a domestic entity. [See Exhibit 5 to Aff., attached hereto.] Defendant Kingman Transport, LLC's registration with the Utah Division of Corporations expired as of November 17, 2020. *Id.*

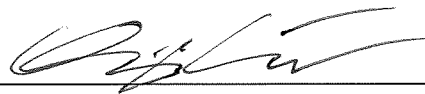
11. Hector Irizarry is listed as the manager and registered agent of Kingman Transport, LLC under the Utah Division of Corporations website.

He is listed as residing in American Fork, Utah. [Exhibit 5.] I was not able to locate any other members of Kingman Transport, LLC. To the best of my knowledge, Kingman Transport, LLC is a single-member LLC whose sole member resides in Utah.

12. The Georgia Secretary of State website lists National Liability as a foreign Insurance Company which was formed in the State of Connecticut and has its principal place of business in the State of Nebraska. [See Exhibit 6 to Aff., attached hereto.] Thus, National Liability is a citizen of the State of Connecticut and Nebraska.

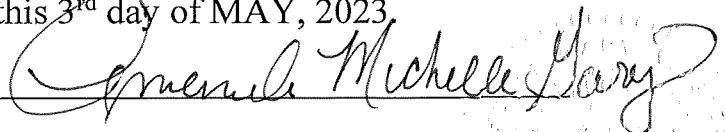
13. To the best of my knowledge and belief, from the information found above, the Plaintiff and Defendants are diverse from each other.

FURTHER AFFIANT SAYETH NOT.



Diego Cardenas

Sworn to and subscribed before me
this 3rd day of MAY, 2023.



Amanda Michelle Gary

NOTARY PUBLIC

My Commission Expires:

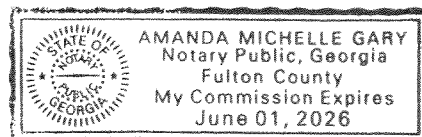


EXHIBIT 1



GEORGIA
CORPORATIONS
DIVISION

GEORGIA SECRETARY OF STATE
BRAD
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BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	P1 Finance Holdings, LLC	Control Number:	22094826
Business Type:	Foreign Limited Liability Company	Business Status:	Active/Noncompliance
NAICS Code:	Finance and Insurance	NAICS Sub Code:	All Other Insurance Related Activities
Principal Office Address:	750 East Prospect Road, Fort Lauderdale, FL, 33334, USA	Date of Formation / Registration Date:	4/21/2022
Jurisdiction:	Florida	Last Annual Registration Year:	NONE
Principal Record Address:	750 East Prospect Road, Fort Lauderdale, FL, 33334, USA		

REGISTERED AGENT INFORMATION

Registered Agent Name: **Steven Kushner**
Physical Address: **233 Peachtree St. NE, Suite 2400 Harris Tower, Atlanta, GA, 30303, USA**
County: **Fulton**

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EXHIBIT 2



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
P1 FINANCE HOLDINGS, LLC

Filing Information

Document Number	L16000203104
FEI/EIN Number	81-4341808
Date Filed	11/04/2016
Effective Date	10/30/2016
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	02/14/2020

Principal Address

750 EAST PROSPECT ROAD
FORT LAUDERDALE, FL 33334

Mailing Address

280 TECHNOLOGY PARKWAY
SUITE 100
NORCROSS, GA 30092

Changed: 05/30/2018

Registered Agent Name & Address

SADER, ROBERT L
224 Commercial Blvd
Suite 310
Lauderdale by the Sea, FL 33308

Name Changed: 02/14/2020

Address Changed: 02/27/2018

Authorized Person(s) Detail

Name & Address

Title MGR

VILLARI, WILLIAM J
2065 EAST LAKE ROAD
ATLANTA, GA 30307

Annual Reports

Report Year	Filed Date
2021	02/22/2021
2022	03/04/2022
2023	03/16/2023

Document Images

03/16/2023 – ANNUAL REPORT	View image in PDF format
03/04/2022 – ANNUAL REPORT	View image in PDF format
02/22/2021 – ANNUAL REPORT	View image in PDF format
02/14/2020 – REINSTATEMENT	View image in PDF format
05/30/2018 – AMENDED ANNUAL REPORT	View image in PDF format
02/27/2018 – ANNUAL REPORT	View image in PDF format
01/20/2017 – ANNUAL REPORT	View image in PDF format
11/04/2016 -- Florida Limited Liability	View image in PDF format

EXHIBIT 3

Department of State

Division of Corporations

Entity Information

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Entity Details



ENTITY NAME: TBF ASSOCIATES INC	DOS ID: 4904114
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC BUSINESS CORPORATION	DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: 402 BCL - BUSINESS CORPORATION LAW	ENTITY STATUS: ACTIVE
DATE OF INITIAL DOS FILING: 02/29/2016	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 02/29/2016	INACTIVE DATE:
FOREIGN FORMATION DATE:	STATEMENT STATUS: PAST DUE DATE
COUNTY: NASSAU	NEXT STATEMENT DUE DATE: 02/28/2018
JURISDICTION: NEW YORK, UNITED STATES	NFP CATEGORY:

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: THE CORPORATION

Address: 14 TAFT AVE, INWOOD, NY, UNITED STATES, 11096

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share
NO PAR VALUE	200	\$0.00000

EXHIBIT 4

Department of State

Division of Corporations

Entity Information

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Entity Details



ENTITY NAME: JR TOWING & TRUCK REPAIR CORP.
FOREIGN LEGAL NAME:
ENTITY TYPE: DOMESTIC BUSINESS CORPORATION
SECTION OF LAW: 402 BCL - BUSINESS CORPORATION LAW
DATE OF INITIAL DOS FILING: 03/07/2016
EFFECTIVE DATE INITIAL FILING: 03/07/2016
FOREIGN FORMATION DATE:
COUNTY: NEW YORK
JURISDICTION: NEW YORK, UNITED STATES

DOS ID: 4907885
FICTITIOUS NAME:
DURATION DATE/LATEST DATE OF DISSOLUTION:
ENTITY STATUS: ACTIVE
REASON FOR STATUS:
INACTIVE DATE:
STATEMENT STATUS: PAST DUE DATE
NEXT STATEMENT DUE DATE: 03/31/2018
NFP CATEGORY:

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: JR TOWING & TRUCK REPAIR CORP.

Address: 1179 LONGWOOD AVENUE, BRONX, NY, UNITED STATES, 10474

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share
NO PAR VALUE	200	\$0.00000

EXHIBIT 5

KINGMAN TRANSPORT LLC

Entity Number: 10490269-0160

Company Type: LLC - Domestic

Address: 133 W 510 S American Fork, UT 84003

State of Origin:

Registered Agent: HECTOR IRIZARRY

Registered Agent Address:

133 W 510 S

AMERICAN FORK, UT 84003

[View Management Team](#)

Status: Expired

Status: Expired  as of 11/17/2020

Status Description: Failure to File Renewal

Employment Verification: Not Registered with Verify Utah

[History](#)

[View Filed Documents](#)

Registration Date: 08/17/2017

Last Renewed: 10/09/2019

[Additional Information](#)

NAICS Code: 4841 **NAICS Title:** 4841-General Freight Trucking

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Business Name:

Give Feedback

Registered Principals

Name	Type	City	Status
KINGMAN TRANSPORT LLC	Limited Liability Company	American Fork	Expired
Position	Name	Address	
Registered Agent	HECTOR IRIZARRY	133 W 510 S	AMERICAN FORK UT 84003
Manager	HECTOR IRIZARRY	133 W 510 S	AMERICAN FORK UT 84003
If you believe there may be more principals, click here to View Filed Documents			

Business Name:

Give Feedback

EXHIBIT 6



GEORGIA
CORPORATIONS
DIVISION

GEORGIA SECRETARY OF STATE
BRAD
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BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	NATIONAL LIABILITY & FIRE INSURANCE COMPANY	Control Number:	J718020
Business Type:	Foreign Insurance Company	Business Status:	Active/Compliance
Business Purpose:	NONE		
Principal Office Address:	1314 Douglas Street, Suite 1400, Omaha, NE, 68102-1944, USA	Date of Formation / Registration Date:	12/10/1980
Jurisdiction:	Connecticut	Last Annual Registration Year:	2023

REGISTERED AGENT INFORMATION

Registered Agent Name: **Andrea Conarro, Esq.**

Physical Address: **Law Office of Andrea Conarro, LLC, 439 South Park Street, Unit A, Dahlonega, GA, 30533, USA**

County: **Lumpkin**

OFFICER INFORMATION

Name	Title	Business Address
Brian G. Snover	Secretary	100 First Stamford Place, Stamford, CT, 06902, USA
DALE D GEISTKEMPER	CFO	1314 Douglas Street, Suite 1400, OMAHA, NE, 68102-1944, USA
DONALD F WURSTER	CEO	1314 Douglas Street, OMAHA, NE, 68102-1944, USA

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